



CALIFORNIA STATE PERSONNEL BOARD

801 Capitol Mall • Sacramento, California 95814

NOTICE OF EFFECTIVE DATE OF AMENDED REGULATION

**California Code of Regulations
Title 2, Administration
Division 1, Administrative Personnel**

DATE: **October 20, 2000**

TO: **MEMBERS OF THE GOVERNOR'S CABINET, ALL STATE AGENCIES AND
EMPLOYEE ORGANIZATIONS**

SUBJECT: **AMENDMENT OF SPB RULE 548.40 – COMPETITIVE EXAMINATIONS FOR
CAREER EXECUTIVE ASSIGNMENT POSITIONS**

This memorandum is to advise you that the proposed revision to the California Code of Regulations (CCR), as substantively described in the State Personnel Board's (SPB) Notice of Proposed Amendment of Regulation dated September 21, 2000, became effective with adoption by the Board on October 17, 2000. A copy of the final regulation is attached. This final regulation will be published in the CCR, Title 2, Section 548.40.

On April 28, 2000, the Third Appellate District Court issued a published decision in Alexander v. State Personnel Board invalidating existing California Code of Regulations, Title 2, Section 548.40, which governs examinations for Career Executive Assignments (CEAs). The court found that existing Rule 548.40 violated the merit principle set forth in Article VII of the California Constitution because it did not require the ranking and comparing of CEA examination candidates. The court found that, in order to be competitive, a CEA examination had to include a comparison of the relative merit of each candidate. SPB has amended Section 548.40 to comply with the court's decision.

CONTACT PERSON:

Please direct any inquiries regarding this action to Steve Unger at (916) 654-0842, or write to Steve Unger at the State Personnel Board, P.O. Box 944201, Sacramento, CA 94244-2010.

LAURA M. AGUILERA, Chief
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Attachment: Text of Final Regulation